

ROBBINS GELLER RUDMAN
& DOWD LLP
SHAWN A. WILLIAMS (213113)
CHRISTOPHER M. WOOD (254908)
Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Telephone: 415/288-4545
415/288-4534 (fax)
shawnw@rgrdlaw.com
cwood@rgrdlaw.com
– and –
TRAVIS E. DOWNS III (148274)
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
travisd@rgrdlaw.com

FILED FOR THE COURT

SAXENA WHITE P.A.
MAYA SAXENA
JOSEPH E. WHITE
2424 N. Federal Highway, Suite 257
Boca Raton, FL 33431
Telephone: 561/394-3399
561/394-3382 (fax)
msaxena@saxenawhite.com
jwhite@saxenawhite.com

Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re FINISAR CORP. DERIVATIVE
LITIGATION

This Document Relates To:

ALL ACTIONS.

) Master File No. C-06-07660-RMW

) STIPULATION AND [] ORDER
) EXTENDING THE DEADLINE FOR
) FILING A MOTION FOR SUBSTITUTION
) PURSUANT TO RULE 25(a)

WHEREAS, on November 29, 2011, the Court entered the Stipulation and Order Extending the Deadline for Filing a Motion for Substitution Pursuant to Rule 25(a) (the "Rule 25(a) Order") (Dkt. No. 128);

WHEREAS, the Rule 25(a) Order extended the deadline by which a party must file a motion for substitution pursuant to Rule 25(a) with respect to Jan Lipson and Larry D. Mitchell, who passed away during the pendency of this litigation, until February 17, 2012;

WHEREAS, on February 14, 2012, the parties filed a Stipulation and [Proposed] Order Extending the Deadline for Filing Motions to Dismiss (Dkt. No. 133), which informed the Court that the parties' settlement discussions were ongoing, and, in light of such discussions, requested an extension of the deadline for defendants to file motions to dismiss plaintiffs' Supplemental Second Amended Consolidated Verified Shareholder Derivative Complaint or other responsive pleadings until March 2, 2012;

WHEREAS, in order to preserve the pending claims, and in light of the parties' ongoing settlement discussions, the parties wish to extend the deadline by which a party must file a motion for substitution pursuant to Rule 25(a), until March 2, 2012; and

WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial efficiency and will not cause prejudice to any party;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by plaintiffs, the Lipson 2000 Revocable Trust Under Agreement Dated September 28, 2000 and the Mitchell Revocable Family Trust, through their respective counsel, subject to approval of the Court as follows:

1. The date within which any party must file a motion for substitution pursuant to Rule 25(a) is extended until March 2, 2012.

IT IS SO STIPULATED.

DATED: February 15, 2012

ROBBINS GELLER RUDMAN
& DOWD LLP
SHAWN A. WILLIAMS
CHRISTOPHER M. WOOD

s/ Christopher M. Wood
CHRISTOPHER M. WOOD

1 Post Montgomery Center
2 One Montgomery Street, Suite 1800
3 San Francisco, CA 94104
4 Telephone: 415/288-4545
5 415/288-4534 (fax)

6 ROBBINS GELLER RUDMAN
7 & DOWD LLP
8 TRAVIS E. DOWNS III
9 655 West Broadway, Suite 1900
10 San Diego, CA 92101
11 Telephone: 619/231-1058
12 619/231-7423 (fax)

13 SAXENA WHITE P.A.
14 MAYA SAXENA
15 JOSEPH E. WHITE
16 2424 N. Federal Highway, Suite 257
17 Boca Raton, FL 33431
18 Telephone: 561/394-3399
19 561/394-3382 (fax)

20 Co-Lead Counsel for Plaintiffs

21 DATED: February 15, 2012

22 ARNOLD & PORTER LLP
23 SARAH A. GOOD
24 JEREMY KAMRAS

25 s/ Sarah A. Good
26 SARAH A. GOOD

27 Three Embarcadero Center, Seventh Floor
28 San Francisco, CA 94111-4024
Telephone: 415/434-1600
415/677-6262 (fax)

Counsel for Defendants David Buse, John Drury,
Mark Farley, Stephen K. Workman and Joseph
Young

1 DATED: February 15, 2012

DLA PIPER
DAVID A. PRIEBE

3
4 s/ David A. Priebe
DAVID A. PRIEBE

5 2000 University Avenue
6 East Palo Alto, CA 94303-2214
7 Telephone: 650/833-2000
8 650/833-2001 (Fax)

9 Attorneys for Nominal Defendant Finisar
10 Corporation and the Mitchell Revocable Family
11 Trust

12 I, Christopher M. Wood, am the ECF User whose identification and password are being used
13 to file the Stipulation and [Proposed] Order Extending the Deadline for Filing a Motion for
14 Substitution Pursuant to Rule 25(a). In compliance with General Order 45.X.B, I hereby attest that
15 Sarah A. Good and David A. Priebe have concurred in this filing.

16 s/ Christopher M. Wood
17 CHRISTOPHER M. WOOD

18 * * *

19 **ORDER**

20 Having considered the parties' Stipulation, and good cause appearing, the Court hereby
21 GRANTS the parties' Stipulation.

22 IT IS SO ORDERED.

23 DATED: GFH FG

24 *Ronald M. Whyte*
25 THE HONORABLE RONALD M. WHYTE
26 UNITED STATES DISTRICT JUDGE
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